

36

00-12-0158

Entered - 11-19-99 - sb
CL 99L0771 - GWENDOLYN BURNS

CLAIM OF: **BOBBIE J. STONE**
1739 Beecher Street, SW
Atlanta, Georgia 30310

FAVORABLE REPORT

For damages alleged to have been sustained as
a result of a vehicular incident on November 5,
1999 at Adams Drive, SW & Childress Drive,
SW.

COM. _____

BY: PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE:

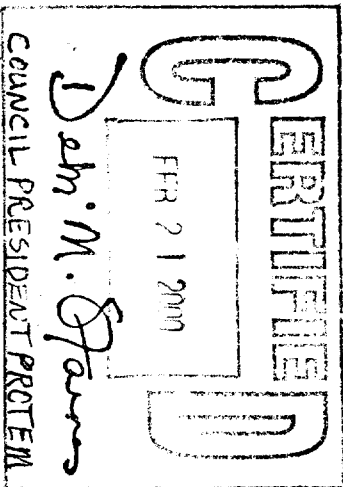
BE IT RESOLVED by the Council of the City
of Atlanta that the action of the Department of
Law be approved in authorizing payment to
BOBBIE J. STONE the sum of **\$865.85** in full
settlement and satisfaction of all claims, past,
present and future, of every kind and character
for damages alleged to have been sustained as
a result of a vehicular incident on November
5, 1999 at Adams Drive, SW & Childress
Drive, SW as is more particularly set forth in
the within claim; said sum taken from and
charged to account 1A01/529017/T31001,
Settlement of Suits and Claims, Department of
Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

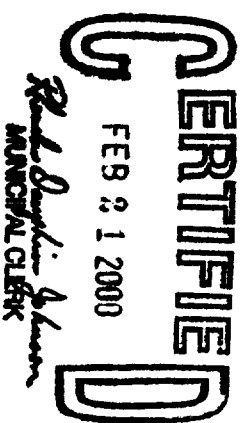
BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

John M. Starns
John M. Starns
John M. Starns

ADOPTED BY
FEB 21 2000
COUNCIL



APPROVED
MAR - 1 2000
WITHOUT SIGNATURE
BY OPERATION OF LAW





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

00-R-0158

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Bobbie J. Stone** the sum of **\$865.85** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicular incident on November 5, 1999 at Adams Drive, SW & Childress Drive, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

February 21, 2000

March 01, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0771

Date: February 3, 2000

Claimant /Victim BOBBIE J. STONE
BY: (Atty) (Ins. Co.) _____
Address: 1739 Beecher Street, SW, Atlanta, Georgia 30310
Subrogation: _____ Claim for Property damage \$ 1,702.26 Bodily Injury \$ _____
Date of Notice: 11/17/99 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/5/99 Place: Adams Drive, SW & Childress Drive, SW
Department PUBLIC WORKS Bureau: _____ Division Transportation Services
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant's vehicle sustained paint damage from a City street marking operation.

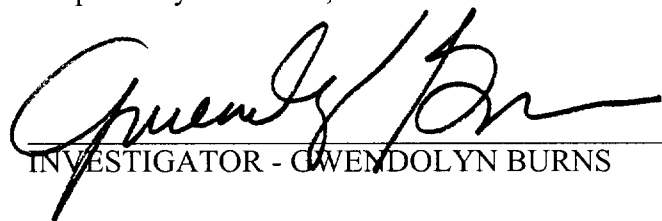
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____


BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 865.85 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager:  Concur/date 02-04-00
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK

City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

NOV 15 1999

RE: CLAIM FOR DAMAGES

Today's Date: 11-10-99

ENTERED - 11-19-99 - SB
99L0771 - GWEN BURNS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,702.26 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 11-05-99
(month/day/year)

2. Police called: Yes ☒ No ☐

3. Location of incident: At Adams + Childress Dr. S.W. Atlanta Ga. 254500

4. Name of your insurance company: Hartford Ins Co. Policy No. 55Phe858650

5. State what and how incident occurred: City Vehicle was spraying yellow line in center of street your vehicle motion for me to continue and when I got to destination point of car lower side of car was going S on Adams Dr. S.W. Atl. + windows

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: 96 CADILLAC DEVILLE 4Dr. 808 NWR Bobbie J. Stone
(make) (year) (tag number) (driver's name)

City vehicle: _____
(make) (City driver's name) (department/bureau)

8. Witness: Marquetta Armour Same 404-758-4142
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Bobbie J. Stone
(claimant's name)

1739 Beecher St. S.W.
(address)

Atlanta, Ga. 30310
(city and state)

46 404-758-0409
(work number) (home number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 99L0771

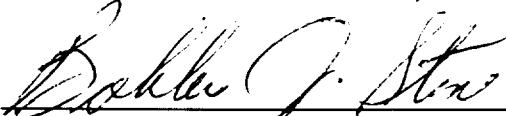
\$ 865.85

IN CONSIDERATION of the sum of EIGHT HUNDRED SIXTY-FIVE DOLLARS AND 85/100s DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, from any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular incident which occurred on or about the 5th day of November, 1999, at or near Adams Drive, SW & Childress Drive, SW.

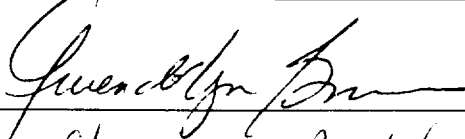
It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 2nd day of February, 20 00.

 (LS)
BOBBIE J. STONE (LS)

The above release was read and explained to, and signed by the said Bobbie Stone presence on the date above written.


Sherry Butler
WITNESSES

00-R -0158

RCS# 1771
2/21/00
2:37 PM

Atlanta City Council

Regular Session

CONSENT AGENDA PAGES (1 - 9)

ADOPT

YEAS:	15	SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA
NAYS:	0	
ABSTENTIONS:	0	
NOT VOTING:	1	
EXCUSED:	0	
ABSENT	0	

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEMS REMOVED FROM
CONSENT AGENDA
00-O-0122
00-O-0123
00-R-0202
00-R-0020

00-O-0212 - Councilmember
Boazman Abstained

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 99-O-2072
2. 99-O-2073
3. 00-O-0127
4. 00-O-0124
5. 00-O-0126
6. 00-O-0066
7. 00-O-0125
8. 00-O-0211
9. 00-O-0212 *
10. 00-O-0213
11. 00-O-0207
12. 00-R-0220
13. 00-R-0196
14. 00-R-0209
15. 00-R-0180
16. 00-R-0176
17. 00-R-0174
18. 00-R-0145
19. 00-R-0146
20. 00-R-0147
21. 00-R-0148
22. 00-R-0149
23. 00-R-0150
24. 00-R-0151
25. 00-R-0152
26. 00-R-0153
27. 00-R-0154
28. 00-R-0155
29. 00-R-0156
30. 00-R-0157
31. 00-R-0158
32. 00-R-0159
33. 00-R-0160

**02/21/00 Council Meeting
ITEMS ADVERSED ON
CONSENT AGENDA**

34. 00-R-0161
35. 00-R-0162
36. 00-R-0163
37. 00-R-0164
38. 00-R-0165
39. 00-R-0166
40. 00-R-0167
41. 00-R-0168
42. 00-R-0169
43. 00-R-0170
44. 00-R-0171
45. 00-R-0172
46. 00-R-0173
47. 00-R-0175

* Councilmember Boazman
abstained from voting on item 00-
O-0212.

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MUNICIPAL CLERK

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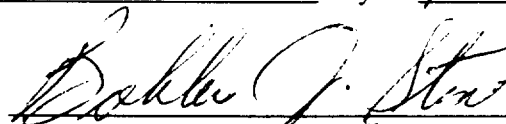
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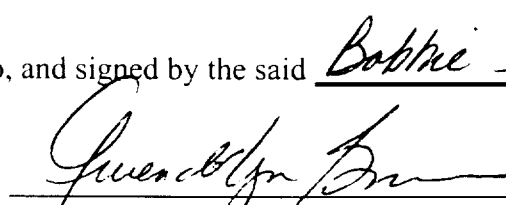
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